

AMENDED IN ASSEMBLY MARCH 21, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 830

Introduced by Assembly Member Holden

February 21, 2013

An act to ~~amend Section 1224 of~~ *add Section 1224.3 to* the Business and Professions Code, relating to clinical laboratories.

LEGISLATIVE COUNSEL’S DIGEST

AB 830, as amended, Holden. Clinical laboratories.

Existing law provides for the licensure, registration, and regulation of clinical laboratories and various clinical laboratory personnel by the State Department of Public Health. ~~Existing law, the Administrative Procedure Act, establishes the requirements for the adoption, publication, review, and implementation of regulations by state agencies.~~ Existing law allows the State Department of Public Health to adopt, amend, or repeal regulations necessary for the administration of clinical laboratories. *Existing law makes a violation of the provisions governing clinical laboratories and clinical laboratory personnel a crime.*

This bill would require the State Department of Public Health to promulgate regulations to require hospitals and health care facilities that employ clinical laboratory scientists and medical laboratory technicians to provide training to those individuals and any other employees charged with supervising those individuals on specified subject matters. Since a violation of the provisions governing clinical laboratory technology is a misdemeanor under existing law, this bill would expand the definition of a crime, thereby imposing a state-mandated local program.

~~This bill would make a nonsubstantive change to those provisions.~~

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 1224.3 is added to the Business and*
2 *Professions Code, to read:*

3 *1224.3. The department shall promulgate regulations on or*
4 *before January 1, 2015, that require any facility operating a*
5 *clinical laboratory to provide training to clinical laboratory*
6 *scientists, medical laboratory technicians, and any individuals*
7 *who are charged with direct and responsible supervision of either*
8 *a clinical laboratory scientist or a medical laboratory technician*
9 *on the following subject matters:*

10 *(a) The specific tests that a medical laboratory technician is*
11 *authorized to perform.*

12 *(b) The specific tests that only a clinical laboratory scientist is*
13 *authorized to perform.*

14 *(c) The extent to which a clinical laboratory scientist is required*
15 *to direct, supervise, and approve or endorse the work of a medical*
16 *laboratory technician.*

17 *(d) The extent to which a medical laboratory technician is*
18 *authorized to report test results to doctors, nurses, or other health*
19 *care professionals prior to having a clinical laboratory scientist*
20 *review and verify those results.*

21 *SEC. 2. No reimbursement is required by this act pursuant to*
22 *Section 6 of Article XIII B of the California Constitution because*
23 *the only costs that may be incurred by a local agency or school*
24 *district will be incurred because this act creates a new crime or*
25 *infraction, eliminates a crime or infraction, or changes the penalty*
26 *for a crime or infraction, within the meaning of Section 17556 of*
27 *the Government Code, or changes the definition of a crime within*
28 *the meaning of Section 6 of Article XIII B of the California*
29 *Constitution.*

1 ~~SECTION 1. Section 1224 of the Business and Professions Code~~
2 ~~is amended to read:~~
3 ~~1224. The department may, pursuant to Chapter 3.5~~
4 ~~(commencing with Section 11340) of Division 3 of Title 2 of the~~
5 ~~Government Code, adopt, amend, or repeal any regulations it~~
6 ~~considers necessary for the administration or enforcement of this~~
7 ~~chapter.~~

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